IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 15TH MAY 2007 / 25TH VAISAKHA 1929

Bail Appl..No. 2829 of 2007()

CRLMC.351/2007 of D.C. & SESSIONS COURT,KOZHIKODE
CRIME NO.88/07 OF NALLALAM POLICE STATION

.....

: PETITIONER/1ST ACCUSED.

YASAR ARAFFATH, S/O.MUHAMMED KUTTY,
MAPPILA VEETTIL, CHITTADITHAZHAM,
OLAVANNA, KOZHIKODE.

BY ADV. SRI.K.A.SALIL NARAYANAN

RESPONDENTS:

STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.SANTHOSH KUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No.2829 of 2007

Dated this the 15th day of May 2007

O R D E R

Petitioner who is the first accused in Crime No.88/2007 of Nallalam Police Station for offences punishable under Sections 498(A) and 406, 417 read with section 34 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 22-5-2007 and 24-5-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall thereafter be produced on the same day before the Magistrate who shall consider his application for regular bail preferably on the same date on which such

application is filed.

This petition is disposed of as above.

V.RAMKUMAR,
JUDGE.

jsr